

# UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Dec 20, 2021**

SEAN F. McAVOY, CLERK

U.S.A. vs. Yahtin, Lavander Docket No. 0980 1:21CR02003-SMJ-1

## Petition for Action on Conditions of Pretrial Release

COMES NOW Linda Leavitt, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Lavander Yahtin, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge Mary K. Dimke sitting in the court at Yakima, Washington, on the 3rd day of February 2021, under the following conditions:

**Special Condition #8:** Defendant shall submit to random urinalysis and Breathalyzer testing as directed by the United States Probation/Pretrial Services Office to include carrying a device through Smart Start agency that will alert the defendant when he must give a Breathalyzer test. Testing is limited to six times per day and is to be set up and paid for by Defendant.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

**Violation #1:** Lavander Yahtin is alleged to be in violation of his pretrial release conditions by failing to submit to Breathalyzer testing between December 7, and 16, 2021.

Conditions of release were reviewed and signed by Mr. Yahtin on February 4, 2021, acknowledging an understanding of his pretrial release conditions, including special condition number 8.

On December 16, 2021, this officer received notification from Smart Start via email (due to his assigned United States Probation Officer's absence) advising Mr. Yahtin failed to submit to Breathalyzer testing beginning December 7 until 16, 2021, due to his Breathalyzer machine being in "lockout" status. This officer contacted Smart Start via email who advised Mr. Yahtin had failed to make his December payment toward his machine and his account was suspended effective December 7, 2021. This officer made telephone contact with Mr. Yahtin, who advised he was unable to make a payment toward the program until December 16, 2021. Mr. Yahtin stated he had made a payment and his machine was turned back on effective December 16, 2021. This officer then contacted Smart Start, who sent confirmation, via email, that his account was active and the machine was "unlocked."

Mr. Yahtin was reminded of the importance regarding his daily testing requirement and encouraged to keep his account up to date and active from this point on. He was also reminded to contact his supervising officer immediately if he was unable to make a payment toward his program in the future.

PRAYING THAT THE COURT WILL ORDER NO ACTION AT THIS TIME

I declare under the penalty of perjury  
that the foregoing is true and correct.

Executed on: December 20, 2021

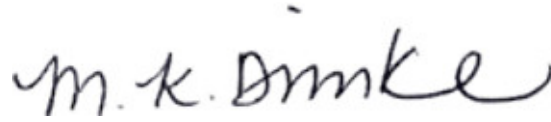

by s/Linda J. Leavitt

Linda J. Leavitt  
U.S. Pretrial Services Officer

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THE COURT ORDERS

- ☒ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other

Signature of Judicial Officer

12/20/2021

Date